

## Message Text

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PAGE 01 STATE 015980

53

ORIGIN EUR-12

INFO OCT-01 NEA-10 ISO-00 SCA-01 SS-15 NSC-05 L-03 JUSE-00

INSE-00 CIAE-00 INR-07 NSAE-00 H-02 DHA-02 PM-04

DODE-00 /062 R

DRAFTED BY EUR/SOV:LWILLEMS/SCA:GLEBEDEV:VT

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H - K. JENKINS

S/S-O P.JOHNSON

S:THE SECRETARY (PER SECTO 1049)

----- 095712

R 221028Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

INFO AMCONSUL LENINGRAD

AMEMBASSY BONN

AMEMBASSY TEL AVIV

C O N F I D E N T I A L STATE 015980

E.O. 11652: GDS

TAGS: CGEN, CFED , PFOR, UR, US

SUBJECT: REQUEST FOR SOVIET EVIDENCE OF WAR CRIMES

REF: A) STATE 202497 AND PREVIOUS, B) MOSCOW 7991

1. AS THE EMBASSY IS AWARE THE IMMIGRATION AND NATURALIZA-  
TION SERVICE SENT THE DEPARTMENT DOSSIERS ON 55 US CITI-  
ZENS AND PERMANENT RESIDENTS ALLEGED TO HAVE PARTICI-  
PATED IN WAR CRIMES DURING WORLD WAR II. THESE DOSSIERS  
HAVE BEEN CHECKED THROUGH THE BERLIN DOCUMENT CENTER AND  
WITH THE AUTHORITIES OF THE FEDERAL REPUBLIC OF GERMANY.

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PAGE 02 STATE 015980

IN MOST CASES THE ALLEGATIONS ARE WEAK, BUT UPON REVIEW

SEVERAL ARE NOW CONSIDERED SUBSTANTIAL ENOUGH TO JUSTIFY APPROACHING THE SOVIET GOVERNMENT FOR ASSISTANCE IN COLLECTING MORE EVIDENCE. WE ALSO HAVE MATERIAL FROM US AND/OR FRG SOURCES IN THESE CASES WHICH COULD BE USED TO CHECK THE VERACITY OF EVIDENCE PROVIDED BY THE SOVIET GOVERNMENT.

2. THE EMBASSY IS REQUESTED TO PRESENT TO THE MFA CONSULAR ADMINISTRATION A DIPLOMATIC NOTE ALONG THE LINES PRESENTED IN PARA 4, REQUESTING EVIDENCE OF ALLEGED WAR CRIMES COMMITTED BY ALEKSAS MASKOLIUNAS, A NATURALIZED US CITIZEN, AND BRONIUS KAMINSKAS AND EDGARS LAIPENIEKS, PERMANENT RESIDENTS.

3. SUCH EVIDENCE IS SOUGHT FOR POSSIBLE USE BY THE DEPARTMENT OF JUSTICE/INS IN DENATURALIZATION AND/OR DEPORTATION PROCEEDINGS. SINCE SUCH PROCEEDINGS WILL MOST LIKELY BE LENGTHY AND INVOLVE NUMEROUS SENSITIVE AND COMPLEX ISSUES, THE DEPARTMENT WILL NOT NOR SHOULD THE EMBASSY SPECULATE AS TO THE POSSIBILITIES OF DEPORTATION, AND ANY SPECIFIC ISSUES SUCH AS THE PLACE TO WHICH A PERSON MAY BE DEPORTED WILL BE ADDRESSED ONLY IF NECESSARY AND AS THEY NATURALLY ARISE IN APPROPRIATE LEGAL PROCEEDINGS. THERE IS NO RPT NO US-USSR EXTRADITION TREATY; AND IT IS IMPORTANT THAT USG AVOID GIVING THE SOVIETS FALSE EXPECTATION THAT ANY OF THE SUBJECTS OF THESE INQUIRIES ARE LIKELY TO BE TURNED OVER TO SOVIET CUSTODY EVEN IF THE ALLEGATIONS AGAINST THEM ARE SUBSTANTIATED. HOWEVER, THAT SITUATION WILL BE ADDRESSED LATER AND ONLY IF SUBSEQUENT EVENTS REQUIRE.

4. SUGGESTED DIPLOMATIC NOTE TO THE MFA CONSULAR ADMINISTRATION FOLLOWS:

THE EMBASSY OF THE UNITED STATES OF AMERICA HAS BEEN INSTRUCTED TO REQUEST THE MINISTRY OF FOREIGN AFFAIRS, UNION OF SOVIET SOCIALIST REPUBLICS, TO ASSIST AND COOPERATE WITH THE EMBASSY IN GATHERING AND PROVIDING EVIDENCE RELATING TO ACTIVITIES OF BRONIUS KAMINSKAS, EDGARS LAIPENIEKS AND ALEKSAS MASKOLIUNAS. EACH HAS BEEN LINKED TO ALLEGED WAR CRIMES. INFORMATION LINKING THESE  
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PAGE 03 STATE 015980

INDIVIDUALS TO ALLEGED ACTIVITIES FOLLOWS: 1) BRONIUS KAMINSKAS, BORN 15 OCTOBER 1903 IN KRACIU (KRAZIAI), RASEINIAI, LITHUANIA, IS ALLEGED TO HAVE PARTICIPATED IN ATROCITIES IN KRACIU, LITHUANIA ABOUT JULY, 1941; 2) EDGARS LAIPENIEKS, ALSO KNOWN AS EDGAR LAIFENIEKS, BORN 25 JUNE 1913 IN RUCAVA, LATVIA, IS ALLEGED TO HAVE BEEN INVOLVED IN KILLING AND BEATING OF PRISONERS IN CENTRAL PRISON, RIGA IN 1941; AND 3) ALEKSAS MASKOLIUNAS, BORN

20 JANUARY 1904 IN CEIKINIAI, LITHUANIA, IS ALLEGED TO HAVE COMMITTED MURDER OF A SCHMUL GORDON IN CEIKINIAI, LITHUANIA IN JUNE OR JULY, 1941 WHILE AN OFFICER OF THE LITHUANIAN SS.

EVIDENCE FROM SOVIET SOURCES IS SOUGHT BY THE AMERICAN AUTHORITIES TO DETERMINE WHETHER THERE IS A BASIS FOR DENATURALIZATION OR OTHER ADMINISTRATIVE PROCEEDINGS AGAINST THESE INDIVIDUALS UNDER THE US IMMIGRATION AND NATIONALITY ACT.

THE EMBASSY WOULD BE GRATEFUL TO RECEIVE AS SOON AS POSSIBLE ANY AVAILABLE EVIDENCE PERTAINING TO THESE INDIVIDUALS AND THE OFFENSES WHICH THEY ARE ALLEGED TO HAVE COMMITTED SUCH AS COPIES OF DOCUMENTS AND STATEMENTS OF WITNESSES. SUBSEQUENT TO RECEIPT OF SUCH EVIDENCE AND REVIEW BY THE AMERICAN AUTHORITIES, THE EMBASSY MAY REQUEST THE COOPERATION OF THE MINISTRY IN ARRANGING FOR AMERICAN OFFICIALS TO TAKE DEPOSITIONS FROM CERTAIN WITNESSES, AND/OR IN ARRANGING FOR CERTAIN WITNESSES TO TRAVEL TO THE UNITED STATES TO TESTIFY.

ANY EVIDENCE OR INFORMATION PROVIDED BY THE MINISTRY WOULD BE KEPT IN CONFIDENCE CONSISTENT WITH THE REQUIREMENTS OF US LAW, BUT MAY ULTIMATELY BECOME A MATTER OF PUBLIC RECORD.

THE EMBASSY WOULD APPRECIATE THE ASSISTANCE AND COOPERATION OF THE MINISTRY IN THESE AND ANY ADDITIONAL CASES WHICH THE EMBASSY MAY SUBMIT TO THE MINISTRY IN THE FUTURE.

5. PLEASE INFORM DEPARTMENT TELEGRAPHICALLY WHEN THE NOTE HAS BEEN DELIVERED AND THE TEXT OF SAME. SISCO  
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PAGE 04 STATE 015980

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## Message Attributes

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**Channel Indicators:** n/a  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
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**To:** MOSCOW  
**Type:** TE  
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